



## **CITY OF HAYWARD AGENDA REPORT**

Meeting Date 06/13/02  
Agenda Item 2

**TO:** Planning Commission

**FROM:** Erik J. Pearson, AICP, Associate Planner

**SUBJECT:** Text Amendment No. 2002-0241 – Request to Amend the Definition of Hotel to Allow Extended Lodging Facilities with Kitchenettes in Individual Rooms and to Amend the Definition of Motel and Hotel to Limit the Length of Stay-David Davenport for Extended Stay America (Applicant)

### **RECOMMENDATION:**

Staff recommends that the Planning Commission recommend that the City Council:

1. Adopt the Negative Declaration prepared pursuant to the California Environmental Quality Act (CEQA) guidelines; and
2. Approve the text amendment subject to the attached findings.

### **BACKGROUND:**

Extended Stay America is interested in building a hotel on the site of the existing vacant movie theater building at Southland Mall. Each of the guest rooms would have a small kitchen as the hotel caters to business travelers staying more than a few days.

### **DISCUSSION:**

The definition of 'hotel' found in the City's Zoning Ordinance does not allow for kitchens in the guest rooms. It reads as follows:

A building where lodging with or without meals is provided to the general public for compensation typically on a nightly basis, and where no provision is made for cooking in any individual guest room or suite, but shall not include institutions where human beings are detained under legal restraint.

The definition was written to prohibit provisions for cooking due to concerns that hotels could evolve into single-room apartment units where the necessary amenities would not be available for permanent residents. Since the current definition was adopted, extended lodging facilities have become increasingly popular among business travelers. This type of hotel may be a great benefit for people working for or with Hayward's businesses on assignments of more than a few

days up to a month. Extended lodging facilities area also convenient for people moving to the area for new jobs until housing can be located.

The proposed definition (Attachment B) allows for kitchens in the rooms while ensuring that the facility would remain a high quality hotel with amenities such as in-room internet service, recreational facilities such as a pool and/or fitness room, and daily housekeeping service. Apartment buildings typically do not offer housekeeping, laundry and ironing services to tenants.

Correspondingly, the definitions of 'motel' and 'hotel' found in the City's Zoning Ordinance do not explicitly limit the length of stay for guests. The definition for 'motel' reads as follows:

A group of attached or detached buildings containing individual sleeping or living units designed for or used temporarily by automobile tourists or transients, with garage attached or parking space conveniently located to each unit.

To prevent motels, hotels and extended lodging facilities from converting to apartment buildings or boarding houses, it is recommended that the definitions incorporate a maximum length of stay of 30 days. In addition, motel and hotel operators are responsible for paying the City's Transient Occupancy Tax for guests staying 30 days or less. The results of a survey about extended lodging facilities with responses from 13 other California cities reveal that it is common to limit the length of stay to 30 days for the same reasons.

#### **ENVIRONMENTAL REVIEW:**

An Initial Study and Negative Declaration have been prepared pursuant to the California Environmental Quality Act (CEQA) guidelines. No significant environmental impacts are expected to result from the text amendment.

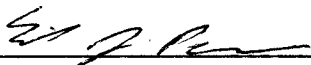
#### **PUBLIC NOTICE:**

On May 24, 2002, notice that an Environmental Initial Study and Negative Declaration had been prepared was posted in the City Clerk's Office, the Main City Hall bulletin board, and in all City library branches. On May 25, 2002, a Notice of Public Hearing for the Planning Commission meeting was published in the local newspaper, The Daily Review.

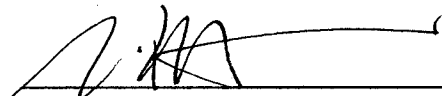
#### **CONCLUSION:**

The text amendment is a minor change to the Zoning Ordinance that will enable new hotels with appropriate amenities to locate in the City of Hayward. The text amendment does not conflict with adopted policies of the General Plan and all other Sections of the Zoning Ordinance. Staff recommends that the Text Amendment be approved.

*Prepared by:*

  
\_\_\_\_\_  
Erik J. Pearson, AICP  
Associate Planner

*Recommended by:*

  
\_\_\_\_\_  
Dyana Anderly, AICP  
Planning Manager

**Attachments:**

- A. Findings for Approval
- B. Draft Definition
- C. Draft Negative Declaration and Initial Study

## **FINDINGS OF APPROVAL**

### **TEXT AMENDMENT NO. 2002-0241**

**David Davenport for Extended Stay America (Applicant)  
Change the Definition of 'Hotel' and 'Motel'.**

- A. Approval of Text Change Application No. 2002-0241 will not cause a significant impact on the environment as documented in the Initial Study prepared per the California Environmental Quality Act Guidelines;
- B. Substantial proof exists that the proposed changes will promote the public health, safety, convenience, and general welfare of the residents of Hayward in that the new definitions will allow new extended lodging facilities to serve business travelers and reserve all lodging facilities for tourism activities, which will, in turn benefit the local business community;
- C. That the proposed change is in conformance with the purposes of this Ordinance and all applicable, officially adopted policies and plans in that the change is minor and does not conflict with any other ordinances or policies;
- D. That streets and public facilities existing or proposed will not be impacted and will continue to be able to serve all structures that would be impacted by adoption of this ordinance; and
- E. That allowing kitchens in individual guest rooms and limiting the length of stay will be compatible with present and potential future uses, and, further, a beneficial effect will be achieved which is not obtainable under existing regulations in that the current definition of 'hotel' does not permit kitchens in individual rooms and the current definitions of 'motel' and 'hotel' do not specifically limit the length of stay.

**ATTACHMENT A**

### **Proposed Definitions:**

**HOTEL.** A building where lodging with or without meals is provided to the general public for compensation typically on a nightly basis, and where no provision is made for cooking in any individual guest room or suite, and where a maximum continuous length of stay is no longer than 30 days, but shall not include institutions where human beings are detained under legal restraint.

Extended Lodging Facilities, where kitchens, kitchenettes or other cooking facilities may be permitted within individual guest rooms, are allowed in any Zoning District where Hotels are permitted, subject to the following standards:

1. Each guestroom shall be provided with voicemail, dataports, desk, color television, alarm clock or wake up service. Irons and ironing boards must also be made available to guests upon request.
2. Self-service laundry facilities shall be accessible to all guests.
3. Recreational facilities such as a pool, whirlpool/spa and/or fitness room shall be provided.
4. A 24-hour per day on-site supervisor shall be provided.
5. Housekeeping services including cleaning and linen service shall be offered daily to every guestroom.
6. Extended Lodging Facilities cannot be used for long-term occupancy (i.e. apartments, care facilities, boarding houses, etc.). Leases of any duration are prohibited.
7. Extended lodging facilities may have a maximum continuous length of stay of 30 days with a 5-day interruption required before commencement of each such subsequent stay.

**MOTEL.** A group of attached or detached buildings containing individual sleeping or living units designed for or used temporarily by automobile tourists or transients, with garage attached or parking space conveniently located to each unit where a maximum continuous length of stay is no longer than 30 days,

**ATTACHMENT B**



## **CITY OF HAYWARD NEGATIVE DECLARATION**

Notice is hereby given that the City of Hayward finds that could not have a significant effect on the environment as prescribed by the California Environmental Quality Act of 1970, as amended will occur for the following proposed project:

### ***I. PROJECT DESCRIPTION:***

**Text Amendment No. 2002-0241** – Request to change the definition of “Hotel” in the Zoning Ordinance to allow extended lodging facilities with kitchenettes in individual rooms and to amend the definition of “Motel” and “Hotel” to limit the length of stay.

### ***II. FINDING PROJECT WILL NOT SIGNIFICANTLY AFFECT ENVIRONMENT:***

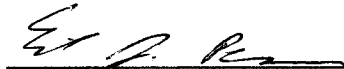
The proposed project could not have a significant effect on the environment.

#### ***FINDINGS SUPPORTING DECLARATION:***

1. The proposed project has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Evaluation Checklist has been prepared for the proposed project. The Initial Study has determined that the proposed project could not result in significant effects on the environment.
2. The project will not adversely affect any scenic resources.
3. The project will not have an adverse effect on agricultural land.
4. The project will not result in significant impacts related to changes into air quality.
5. The project will not result in significant impacts to biological resources such as wildlife and wetlands.
6. The project will not result in significant impacts to cultural resources including historical resources, archaeological resources, paleontological resources, unique topography or disturb human remains.
7. The project will not lead to the exposure of people to hazardous materials.
8. The project will meet all water quality standards. Drainage improvements will be made to accommodate runoff.
9. The project is consistent with the policies of the City General Plan and the Zoning Ordinance.
10. The project could not result in a significant impact to mineral resources.
11. The project will not have a noise impact and all interior noise standards as specified in the Noise Element of the General Policies Plan will be met.

12. The project will not result in a significant impact to public services.
13. The project will not result in significant impacts to traffic or result in changes to traffic patterns or emergency vehicle access.
14. The project will not require additional service systems.

**I. *PERSON WHO PREPARED INITIAL STUDY:***



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Erik J. Pearson, AICP Associate Planner

Dated: May 6, 2002

**II. *COPY OF INITIAL STUDY IS ATTACHED***

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For additional information, please contact the City of Hayward, Planning Division, 777 B Street, Hayward, CA 94541-5007, telephone (510) 583-4210, or e-mail [erikp@ci.hayward.ca.us](mailto:erikp@ci.hayward.ca.us).

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**DISTRIBUTION/POSTING**

- Provide copies to all organizations and individuals requesting it in writing.
- Reference in all public hearing notices to be distributed 20 days in advance of initial public hearing and/or published once in Daily Review 20 days prior to hearing.
- Project file.
- Post immediately upon receipt at the City Clerk's Office, the Main City Hall bulletin board, and in all City library branches, and do not remove until the date after the public hearing.



**DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT  
Development Review Services Division**

**INITIAL STUDY CHECKLIST FORM**

**Project title:** Text Amendment No. 2002-0241 – Request to Amend the Definition of Hotel to Allow Extended Lodging Facilities with Kitchenettes in Individual Rooms and to Amend the Definition of Motel and Hotel to Limit the Length of Stay

**Lead agency name and address:** City of Hayward, 777 "B" Street, Hayward, CA 94541-5007

**Contact persons and phone numbers:** Erik J. Pearson, Associate Planner (510) 583-4210

**Project location:** City-wide

**Project sponsor's name and address:** David Davenport  
Extended Stay America  
58 Mitchell  
San Rafael, CA 94903

**General Plan:** NA

**Zoning:** NA

**Description of project:** Request to change the definition of "Hotel" in the Zoning Ordinance to allow extended lodging facilities with kitchenettes in individual rooms and to amend the definition of "Motel" and "Hotel" to limit the length of stay

**Surrounding land uses and setting:** NA

**Other public agencies whose approval is required:** None.

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**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

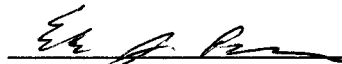
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                    | <input type="checkbox"/> Agriculture Resources              | <input type="checkbox"/> Air Quality            |
| <input type="checkbox"/> Biological Resources          | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology /Soils         |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality          | <input type="checkbox"/> Land Use / Planning    |
| <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population / Housing   |
| <input type="checkbox"/> Public Services               | <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems   | <input type="checkbox"/> Mandatory Findings of Significance |   |

**DETERMINATION: (To be completed by the Lead Agency)**

On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
Signature

Erik J. Pearson, AICP Associate Planner

May 6, 2002

Date

City of Hayward

## ENVIRONMENTAL ISSUES:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>I. AESTHETICS -- Would the project:</b>				
a) Have a substantial adverse effect on a scenic vista? <i><u>Comment:</u> The project will not affect any scenic vista.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? <i><u>Comment:</u> The project will not damage scenic resources.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings? <i><u>Comment:</u> The project will not affect the visual character or quality of the City of Hayward.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? <i><u>Comment:</u> The project will not create a substantial source of light.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**II. AGRICULTURE RESOURCES:** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? <i><u>Comment:</u> The project will not affect farmland.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? <i><u>Comment:</u> The project will not affect farmland.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? <i><u>Comment:</u> The project will not affect farmland.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
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III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Comment:** The project may have a positive impact on air quality as guests of a hotel with kitchenettes may generate fewer vehicle trips when not dining out.

- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comments:** The project will not negatively affect air quality.

- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The project will not negatively affect air quality.

- d) Expose sensitive receptors to substantial pollutant concentrations?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The project will not negatively affect air quality.

- e) Create objectionable odors affecting a substantial number of people?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The project will not negatively affect air quality.

IV. BIOLOGICAL RESOURCES -- Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The project will not adversely affect biological resources.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The project will not adversely affect biological resources.

- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The project will not adversely affect biological resources.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? <i><b>Comment:</b> The project will not adversely affect biological resources.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? <i><b>Comment:</b> The project will not adversely affect biological resources.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan? <i><b>Comment:</b> The project will not adversely affect biological resources.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
<b>V. CULTURAL RESOURCES -- Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i><b>Comment:</b> The project will not adversely affect historical resources.</i>				
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i><b>Comment:</b> The project will not adversely affect historical resources.</i>				
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i><b>Comment:</b> The project will not adversely affect historical resources.</i>				
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i><b>Comments:</b> The project will not adversely affect historical resources.</i>				
<b>VI. GEOLOGY AND SOILS -- Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i><b>Comment:</b> The project will not be affected by earthquake faults.</i>				
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i><b>Comment:</b> The project will not be affected by seismic ground shaking.</i>				
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i><b>Comment:</b> The project will not be affected by seismic-related ground failure.</i>				
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i><b>Comment:</b> The project will not be affected by landslides.</i>				
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<i><b>Comment:</b> The project will not cause soil erosion.</i>				

- |  | Potentially<br>Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|---|------------------------------------|-------------------------------------|
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?<br><i><b>Comment:</b> The project will not involve unstable geologic units or soil.</i> | <input type="checkbox"/>             | <input type="checkbox"/>  | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?<br><i><b>Comment:</b> The project does not involve the construction of a physical project.</i>  | <input type="checkbox"/>             | <input type="checkbox"/>  | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?<br><i><b>Comment:</b> The project does not involve the construction of a physical project.</i>  | <input type="checkbox"/>             | <input type="checkbox"/>  | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

**VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:**

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?<br><i><b>Comment:</b> The project does not involve the construction of a physical project.</i>                              | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?<br><i><b>Comment:</b> See VII a.</i>                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?<br><i><b>Comment:</b> See VII a.</i>  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?<br><i><b>Comment:</b> See VII a.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- |   | Potentially<br>Significant<br>Impact | Potentially<br>Significant<br>Unless<br>Mitigation<br>Incorporation | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|---|--------------------------------------|---|------------------------------------|-------------------------------------|
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?<br><i><b>Comment:</b> The project does not involve the construction of a physical project.</i> | <input type="checkbox"/>             | <input type="checkbox"/>  | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?<br><i><b>Comment:</b> See VII e.</i>  | <input type="checkbox"/>             | <input type="checkbox"/>  | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?<br><i><b>Comment:</b> See VII e.</i>  | <input type="checkbox"/>             | <input type="checkbox"/>  | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?<br><i><b>Comment:</b> See VII e.</i>   | <input type="checkbox"/>             | <input type="checkbox"/>  | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

#### VIII. HYDROLOGY AND WATER QUALITY -- Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements?<br><i><b>Comment:</b> Any hotels constructed with kitchens in the guest rooms will meet all water quality standards.</i>  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?<br><i><b>Comment:</b> Any hotels constructed with kitchens in the guest rooms will be served with water by the City of Hayward. Therefore, water quality standards will not be violated and groundwater supplies will not be depleted. Furthermore, recharge of the groundwater table will not be substantially affected.</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?<br><i><b>Comment:</b> The text amendment will not result in substantial erosion or siltation on-or off-site.</i>   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? <i><b>Comment:</b> The project will not affect drainage patterns and will not cause flooding.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? <i><b>Comment:</b> The project will not will not have any affect on stormwater drainage.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality? <i><b>Comment:</b> See VIII a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? <i><b>Comment:</b> The text amendment will not create housing or any structures.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? <i><b>Comment:</b> See VIII g.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? <i><b>Comment:</b> See VIII g.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? <i><b>Comment:</b> The text amendment does not involve a specific location.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>IX. LAND USE AND PLANNING - Would the project:</b>				
a) Physically divide an established community? <i><b>Comment:</b> The project will not result in a physical development.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?  <i><b>Comment:</b> The text amendment is consistent with the General Plan.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Comment:** The project will not result in a physical development.

**X. MINERAL RESOURCES – Would the project:**

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The project will not affect mineral resources.

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** See X a.

**XI. NOISE - Would the project result in:**

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The text amendment will produce no noise.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** See XI a.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** See XI a

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** See XI a

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** See IX a.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The text amendment will not expose people to excessive noise levels.

**XII. POPULATION AND HOUSING -- Would the project:**

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? <i>Comment: See IX a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? <i>Comment: See IX a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? <i>Comment: See IX a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### XIII. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) Fire protection? <i>Comment: The proposed project will have no effect upon, government services in fire and police protection, maintenance of public facilities, including roads, and in other government services.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection? <i>Comment: See XIII a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools? <i>Comment: See XIII a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks? <i>Comment: See XIII a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities? <i>Comment: No other public facilities will be significantly impacted.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### XIV. RECREATION --

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? <i>Comment: The text amendment will have no affect on parks or recreational facilities.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Comment:** See XIV a.

**XV. TRANSPORTATION/TRAFFIC -- Would the project:**

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The text amendment will have no affect on traffic of any kind.

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** See XV a.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** See XV a.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** See XV a.

e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The text amendment will not affect emergency access.

f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The text amendment will not affect parking.

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The project does not conflict with adopted policies supporting alternative transportation.

**XVI. UTILITIES AND SERVICE SYSTEMS - Would the project:**

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**Comment:** The project will not create wastewater.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? <i><u>Comment:</u> See XVI a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? <i><u>Comment:</u> The project will not affect storm water drainage.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? <i><u>Comment:</u> The project will have no effect on water supplies.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? <i><u>Comment:</u> See XVI a.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? <i><u>Comment:</u> The project will not create solid waste.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste? <i><u>Comment:</u> See XVI f.</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### XVII. MANDATORY FINDINGS OF SIGNIFICANCE --

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>